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AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating an alley thereof.

WHEREAS, a petition to vacate a public alley within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and

WHEREAS, said Commission duly held a public hearing thereon; and

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-4-12; and

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

That the petition filed herein to vacate a SECTION 1. public alley within the City of Fort Wayne, specifically described as follows, to-wit:

Alley, 12 feet wide 254 feet long, running northward from the northern boundary of Jefferds Avenue in Lincoln Highway Park Addition, to the City of Fort Wayne, along the western boundaries of Lots Numbered 114 through 119 inclusive.

and which vacating amends the Thoroughfare Plan of the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor. Janet G. Bradburg

J. Timathy	FORM AND LEGALITY: M Caulay AULAY, CITY ATTORNEY
** Public hear	ring to be held on Zuesday,
the	day of April , 1988,
in the Council	
	184
	Sandra E. Kennedy, City Clerk
	THE STATE OF THE S

Read the first time in full and	on motion by Beradlung,
seconded by , and duly title and referred to the Committee on	adopted, read the second time by
City Plan Commission for recommendation) an	d Public Hearing to be held after
due legal notice, at the Council Conference	Room 128, City-County Building,
of, 19, at	o'clock // ,M.,E.S.T.
DATE: 2 2388	Sandra F. Lennedy
	SANDRA E. KENNEDY, CITY CLERK
Read the third time in full and	on motion by Bradhay.
seconded by the , and	duly adopted, placed on its
passage. PASSED LOST by the following	vote:
AYES NAYS ABSTAINED	ABSENT TO-WIT
TOTAL VOTES 9	
BRADBURY ~	
BURNS CiaQUINTA	
GiaQUINTA	
HENRY	
LONG	
REDD	
SCHMIDT V	
STIER ~	
TALARICO	
DATE: 4-12-88	Sandra E. Lennedy
	SANDRA E. KENNEDY, CITY CLERK
Passed and adopted by the Common	Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPE	RIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RES	SOLUTION NO. <u>55-88</u>
on the 12th day of April	, 19 <i>88</i> ,
ATTEST:	SEAL
Sandra G. Lennedy	forms E. Hanny
SANDRA E. KENNEDY, CITY CLERK	PRESIDING OFFICER
Presented by me to the Mayor of t	the City of Fort Wayne, Indiana,
on the 13th day of apri	1988.
at the hour of //:00 o'clock	M.,E.S.T.
	Sandra F. Kennedys
	SANDRA E. KENNEDY, CITY CLERK
Approved and signed by me this	Λι.
19 88, at the hour of 10.30 o'clock	
	12/16
	PAUL HELMKE, MAYOR

Prescribed by State Board of Accounts RECEIPT	A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352
COMMUNITY DEVELOPMENT & PLANNING	Nº 2755
FT. WAYNE, IND., 19 19	18000
RECEIVED FROM	\$/00,00
THE SUM OF One Alland	Dollars
ON ACCOUNT OF	
Macalin	
	fatto.
	AUTHORIZED SIGNATURE



Fort Wayne Division 1610 North Calhoun Street Fort Wayne, Indiana 46808 (219) 422-7443 TWX 810 332 2223 Answer Back SUPERIOR FWA

VACATION ORDINANCE

PETITION TO VACATE (Alley)

TO: THE CITY PLAN COMMISSION CITY OF FORT WAYNE, INDIANA

The Undersigned petitioner, OmniSource Corp., does hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following public alley within the City of Fort Wayne, Indiana, and hereby described as follows:

Alley, 12 feet wide and 254 feet long, running northward from the northern boundary of Jefferds Avenue in Lincoln Highway Park addition, to the City of Fort Wayne, along the western boundries of lots number 114 through 119, inclusive.

In support thereof, your petitioner would represent as follows:

- That we are the only owners of the real estate bordering both sides of the alley.
- That the alley is not necessary as ingress or egress to other properties whatsoever.
- 3. That said alley is unopened and unimproved.
- 4. That no other person, firm, or corporation is interested in or affected by the requested vacation.
- 5. That the maintenance of said alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.



Page two Petition to Vacate December 30, 1987

Your petitioner files this petition pursuant to the authority granted in Indiana Code, Section 36-7-4-512 in order to complete the vacation as above described.

WHEREFORE, your petitioner prays that the above described alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 30th DAY OF DECEMBER, 1987

OMNISOURCE CORP. Adjacent Property Owner's

Signature Barry Pass, V.P. OMNISOURCE CORP

Petitioner's Signature Barry Pass, V.P.

1610 North Calhoun Street Fort Wayne, Indiana. 46808 Adjacent Property Owner's Address

1610 North Calhoun Street Fort Wayne, Indiana 46808 Petitioner's Address

OMNISOURCE CORP.

Signature

Adjacent Property Owner's Barry Pass, V.P. Barry Pass 1610 North Calhoun Street Fort Wayne, Indiana 46808 Agent's Name and Address (219) 422-5541

1610 North Calhoun Street Fort Wayne, Indiana 46808 Adjacent Property Owner's Address

> **Check No. 5845 for \$100 enclosed for filing fee, vacate alley.

RESOLUTION 77-243-10

WHEREAS, OMNI-SOURCE CORPORATION an Indiana Corporation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

Alley, 12 feet wide 254 feet long, running northward from the northern boundary of Jefferds Avenue in Lincoln Highway Park Addition, to the City of Fort Wayne, along the western boundaries of Lots Numbered 114 through 119 inclusive.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these any said utilities shall file a written proceedings unless consent to said vacation.

STATE OF INDIANA) SS: COUNTY OF ALLEN)

I, Angela S, Werheimer, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held

That I and as same appea
of record in the official records of the Board of Public Works. and as same appears

DATED THIS 9 may of March

FORT WAYNE BOARD OF PUBLIC WORKS

Avaela S. Decklemer Angela S. Derheimer

Director of Public Works

Robert E. Love

Director of Public Safety

C. David Silletto

Director of Administration & Finance

RESOLUTION

WHEREAS, OMNI-SOURCE CORPORATION an Indiana Corporation has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated alley in Fort Wayne, Allen County, to-wit:

Alley, 12 feet wide 254 feet long, running northward from the northern boundary of Jefferds Avenue in Lincoln Highway Park Addition, to the City of Fort Wayne, along the western boundaries of Lots Numbered 114 through 119 inclusive.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on February 22, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, <u>Robert Hutner</u>, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held 29 February 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 8th DAY OF	March	1988
FORT WAYNE CITY PLAN COM		
putrer	-	
Robert Hutner Secretary		

ORIGINAL

ORIGINAL

DIGEST SHEET

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P	
	34
SYNOPSIS OF ORDINANCE Alley lying North of Jefferds Avenue, West of Edsall Ave	enue
Cast of vacated Fairview Avenue and just South of the Norfolk & Western Railroads Tra	icks
19-88-02-23	
EFFECT OF PASSAGE Property is presently dedicated right-of-way. Property will be vacated and revert to the use of the adjacent property owners.	
EFFECT OF NON-PASSAGE Property will remain dedicated right-of-way.	
MONEY INVOLVED (Direct Costs, Expenditures, Savings)	
(ASSIGN TO COMMITTEE (J.N.)	

FACT SHEET

G-88-02-23

BILL NUMBER

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE REASON

Alley Vacation Ordinance

DETAILS	POSITIONS	RECOMMENDATIONS
Specific Location and/or Address	Sponsor	1 1 1 1 5 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5
North off of the 2900 Block of Jefferds,		City Plan Commission
between Edsall Av and the vacated Fairfiew Avenue.	Area Affected	City Wide
Reason for Project		
Incorporate alley into Omni Source's recyling operation.		Other Areas
	Applicants/ Proponents	Applicant(s) Omni Source Corporation City Department Other
Discussion (Including relationship to other Council actions)	Opponents	Groups or Individuals
	Оррональ	Groups or individuals
22 February 1988 - Public Hearing Barry Pass, Vice-President with Omni Source Corporation, the petitioner, stated that		Basis of Opposition
they own all of the property adjacent to the alley. He stated that there are no utilities in the alley but that they are willing to grant whatever easements that	Staff	
would be required.	Recommendation	∑ For
Mel Smith questioned what they would use the vacated alley for.		Reason Against
Mr. Pass stated that all of the property in the area is M-3 zoned and this alley is	ex Type ()	
already incorporated in the scrap recycling operation that is presently located there.	Board or Commission Recommendation	Ву
He stated that the alley used to extend from Jefferds Avenue all the way to the N&W railroad tracks. He stated that the northern portion of the alley had been vacated some	necommendation	For Against No Action Taken
years ago and since Omni Source has now acquired all of the adjacent property it serves no purpose to exist as an alley.		For with revisions to conditions (See Details column for conditions)
There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.	CITY COUNCIL ACTIONS (For Council use only)	Pass Other Pass (as Hold amended) Council Sub. Do not pass

29 February 1988 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried.

Of the eight (8) members present seven (7) voted in favor of the motion, one (1) did not vote.

Policy or Program Change	No Yes	
Operational Impact Assessment		

POLICY/PROGRAM IMPACT

(This space for further discussion)

Project Start	Date	30	December 1987
Projected Completion or Occupancy	Date	8	March 1988
Fact Sheet Prepared by Patricia Biancaniello	Date	8	March 1988
Reviewed by	Date	Ĭ	1.188

Reference or Case Number

G-88-02-23	
REPORT OF THE COMMITTEE ON	REGULATIONS
WE, YOUR COMMITTEE ONREGULATIONS	TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION)	amending the
Thoroughfare Plan of the City Comprehen	nsive ("Master") Plan
by vacating an alley thereof	
HAVE HAD SAID (ORDINANCE) (RESOLUTI	
AND BEG LEAVE TO REPORT BACK TO THE	
(ORDINANCE) (RESOLUTION)	
YES	NO
ant y Bradburyanet G. BRADBURY	
Markerson	
MARK E. GIAQUINTA VIÇE CHAIRMAN	
CHARLES B. REDD	
Ward Sy DAVID C. LONG	
PAUL M. BURNS	
CONCURRED IN 4-12-88.	
CONCURRED IN 9-12-10	

Sandra E. Kennedy City Clerk

A PETITION TO VACATE THE DESCRIBED PUBLIC ALLEY.

MAP NO. Q.6

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M3 HEAVY INDUSTRY

LAND USE:



SCALE: /"=/00'

DATE: 2.3.88



THE CITY OF FORT WAYNE

March 28, 1988

OmniSource Corporation Fort Wayne Division 1610 North Calhoun Street Fort Wayne, Indiana 46808

NOTICE OF PUBLIC HEARING ON BILL NO. G-88-02-23

You are hereby notified that the Common Council of Fort Wayne will conduct a public hearing on Tuesday, April 12, 1988, at 7:00 P.M. (EST) in the Common Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

North off the 2900 Block Jefferds, between Edsall Avenue and the vacated Fairfiew Avenue. Incorporate alley into Omni Source's recyling operation

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing

Fort Wayne Common Council

Sandra E. Kennedy

City Clerk

NOTICE OF PUBLIC HEARING FORT WAYNE COMMON COUNCIL (BILL NO. G-88-02-23)

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, April 12, 1988, at 7:00 P.M. (EST) in Room 128, Common Council Conference Room, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

> North off the 2900 Block of Jefferds, between Edsall Avenue and the vacated Fairfiew Avenue. Incorporate alley into Omni Source's recyling operation

Alley, 12 feet wide 254 feet long, running northward from the northern boundary of Jefferds Avenue in Lincoln Highway Park Addition, to the City of Fort Wayne, along the western boundaries of Lots Numbered 114 through 119 inclusive

All interested parties are invited to appear and be heard.

Fort Wayne Common Council

Sandra E. Kennedy

City Clerk



THE CITY OF FORT WAYNE

March 28, 1988

Ms. Marilyn Romine Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, IN 46802

Dear Ms. Romine:

Please give the attached full coverage on the date of March 31, 1988, in both the News Sentinel and Journal Gazette.

> Legal Notice for Common Council of Fort Wayne, IN

> > Bill No. G-88-02-23 Alley vacation

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clark

City Clerk

SEK/ne ENCL:1

(Governmental U	Council	To:		Sentinel
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